

1 HONORABLE RONALD B. LEIGHTON
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 ARTHUR S. WEST,

11 Plaintiff,

12 v.

13 PORT OF TACOMA, STATE OF
14 WASHINGTON, PORT OF OLYMPIA,
15 CITY OF OLYMPIA,
16 WEYERHAEUSER NR., WASHINGTON
17 STATE GOVERNOR,

18 Defendants.

CASE NO. 3:11-cv-05205-RBL

ORDER DENYING PLAINTIFF'S
MOTION FOR RECONSIDERATION

[Dkt. #32]

Before the Court is Plaintiff Arthur West's Motion for Reconsideration. (Dkt. # 32).

Under Local Rule 7(h):

Motions for reconsideration are disfavored. The court will ordinarily deny such motions in the absence of a showing of manifest error in the prior ruling or a showing of new facts or legal authority which could not have been brought to its attention earlier with reasonable diligence.

The Ninth Circuit has called reconsideration an "extraordinary remedy, to be used sparingly in the interests of finality and conservation of judicial resources." *Kona Enters., Inc. v. Estate of Bishop*, 229 F.3d 877, 890 (9th Cir. 2000) (quoting 12 James Wm. Moore et al., *Moore's Federal Practice* § 59.30[4] (3d ed. 2000)). "Indeed, a motion for reconsideration should not be

1 granted, absent highly unusual circumstances, unless the district court is presented with newly
2 discovered evidence, committed clear error, or if there is an intervening change in the controlling
3 law.” *Id.* (quoting *389 Orange Street Partners*, 179 F.3d 656, 665 (9th Cir. 1999)).

4 Here, Mr. West requests reconsideration based on the “absence of due process.” (Pl.’s
5 Mot. for Reconsideration at 1.) Mr. West fails to explain what “process” he believes is due, but
6 states that the Court’s orders “demonstrate[] invidious and retaliatory bias.” *Id.* The Court
7 dismissed the last of Mr. West’s lawsuits because Mr. West failed to show up for a hearing that
8 he rescheduled, filed a late reply to the Court’s show cause order, and then offered only
9 disingenuous explanations for his absence. (*See Order*, Dkt. #29.) Mr. West’s current motion
10 provides nothing to suggest the Court erred.

11 The motion is **DENIED**.

12 Dated this 29th day of July, 2012.

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16 Ronald B. Leighton
17 United States District Judge
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